

**REMARKS**

Entry of the foregoing and reconsideration of the application identified in caption as amended, pursuant to and consistent with the Rules of Practice in Patent Cases, and in light of the remarks which follow, is respectfully requested. Applicants specifically request non-entry of the previously filed but unentered Reply and Amendment dated April 5, 2007. That Reply and Amendment was filed in response to the final office action mailed December 13, 2006. Rather, Applicants request that the present Preliminary Reply and Amendment be considered in response to the final office action mailed December 13, 2006.

By the present amendment, claim 5 has been amended, new claims 24-29 have been added, and claims 1-4 and 6-23 have been canceled, so that claims 5 and 24-29 will be pending upon entry thereof.

In the final office action claims 1-4 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement with respect to the proviso of claim 1. Claims 2 and 3 were also rejected under 35 U.S.C. § 112, second paragraph, as failing to comply with the definiteness requirement with respect to the proviso of claim 1. Each of these rejections is rendered moot in view of the cancellation of claims 1-4.

Claim 5 stands allowed. However, claim 5 has been presently amended to remove the redundancies. Moreover, new claims 24 and 25 depend from claim 5 and represent the substance of claims 2 and 3, respectively. Claims 24 and 25 are likewise allowable for the same reasons that claim 5 is allowable.

New claims 26-29 represent the substance of claims 1-4, respectively, wherein  $R^2$  is a  $C_2$ - $C_{20}$  alkyl radical when  $r = 1$ . Support for new claims 26-29 can be found at least at pages 8 to 14 of the application as filed where numerous specific examples are disclosed wherein  $R^2$  is an alkyl residue having 2 or more carbon atoms. Specifically, Applicants note the compounds set forth on the bottom of page 8, first line of compounds, third compound and third line of compounds, first and third compounds; page 9, first line of compounds, second compound, third line of compounds, second compound, fourth line of compounds, second compound, and fifth line of compounds, second compound; page 10, fourth and sixth lines of compounds; and page 11, first line of compounds. Accordingly, no new matter is presented by claims 26-29.

Applicants have removed the previously objected to proviso from all pending claims. Non-elected claims 6-17 and 21-23 have been cancelled, as noted above. Accordingly, all

previous rejections have been overcome and allowance of claims 5 and 24-29 is respectfully requested.

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is hereby earnestly solicited.

Respectfully submitted,

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